

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 21 2023

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JOSEPH R. LEON,

No. 22-15794

Plaintiff-Appellant,

D.C. No. 3:21-cv-06317-CRB

v.

MEMORANDUM\*

DAVID A. CENA, Judge; ERIC S.  
GEFFON, Judge; CYNTHIA SERVELY,  
Judge; OFFICE OF THE SHERIFF; OFFICE  
OF THE COUNTY COUNSEL FOR THE  
COUNTY OF SANTA CLARA; SUPERIOR  
COURT OF THE STATE OF  
CALIFORNIA FOR THE COUNTY OF  
SANTA CLARA,

Defendants-Appellees.

Appeal from the United States District Court  
for the Northern District of California  
Charles R. Breyer, District Judge, Presiding

Submitted March 14, 2023\*\*

Before: SILVERMAN, SUNG, and SANCHEZ, Circuit Judges.

California pretrial detainee Joseph R. Leon appeals pro se the district court's

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

judgment dismissing his 42 U.S.C. § 1983 action alleging that an excessive bail order violated his constitutional rights. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a district court's dismissal under 28 U.S.C. § 1915A. *Byrd v. Maricopa County Bd. of Supervisors*, 845 F.3d 919, 922 (9th Cir. 2017). We affirm.

The district court properly dismissed Leon's bail-related claims for damages as barred by absolute judicial immunity. *See Ashelman v. Pope*, 793 F.2d 1072, 1075 (9th Cir. 1986) (judges are entitled to absolute judicial immunity for acts performed in their official capacity); *see also Galen v. City of Los Angeles*, 477 F.3d 652, 663 (9th Cir. 2007) ("California vests judicial officers with the exclusive authority to enhance or reduce bail.").

The district court did not abuse its discretion in denying Leon's motion for relief under Fed. R. Civ. P. 60(b) because Leon failed to demonstrate any basis for relief. *See Riley v. Filson*, 933 F.3d 1068, 1071 (9th Cir. 2019) (stating standard of review and grounds for relief under Rule 60(b)).

**AFFIRMED.**